

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA E. ARREOLA
 Assistant United States Attorney
 One St. Andrew's Plaza
 New York, New York 10007
 Tel. (212)637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ALL ASSETS OF ASA DRUGS, INCLUDING : NOTICE OF MOTION FOR
 \$207,644.00 IN UNITED STATES : DEFAULT JUDGMENT
 CURRENCY ON DEPOSIT AT JP MORGAN :
 CHASE, IN ACCOUNT NUMBER 106 067 :
 681 865; : 07 Civ. 3587 (MGC)

ALL ASSETS OF NASH PHARMACY, :
 INCLUDING \$1,492,892.00 IN UNITED :
 STATES CURRENCY ON DEPOSIT AT JP :
 MORGAN CHASE, IN ACCOUNT NUMBER 106 :
 067 344 365; and :

ALL ASSETS OF STAY SLIM PHARMACY, :
 INCLUDING \$128,534.00 IN UNITED :
 STATES CURRENCY ON DEPOSIT AT JP :
 MORGAN CHASE, IN ACCOUNT NUMBER 106 :
 067 626 065, :

Defendants-in-rem. :

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PLEASE TAKE NOTICE that upon the declaration of Anna E.
 Arreola, Assistant United States Attorney, dated September 5,
 2008; upon the Clerk's Certification of default (attached hereto
 as Exhibit A); upon the accompanying proposed Default Judgment

(attached hereto as Exhibit B); and upon all prior proceedings herein, the plaintiff will move this Court before the Honorable Miriam Goldman Cedarbaum, United States District Judge, United States Courthouse, 500 Pearl Street, Courtroom 14A, New York, New York 10007, on Thursday, October 9, 2008 at 9:30 a.m., on submission, for an order pursuant to Rule 55 of the Federal Rules of Civil Procedure granting default judgment in favor of the plaintiff, United States of America, and forfeiting the defendants-in-rem to the United States of America and for such other relief as is just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to this Court's Individual Practice Rules, answering papers, if any, must be received by all parties by noon on Wednesday of the week before the return date.

Dated: New York, New York
September 5, 2008

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff
United States of America

By: _____/s/
Anna E. Arreola
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. No. (212) 637-2218

EXHIBIT A

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA E. ARREOLA
 Assistant United States Attorney
 One St. Andrew's Plaza
 New York, New York 10007
 Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ALL ASSETS OF ASA DRUGS, INCLUDING :
 \$207,644.00 IN UNITED STATES :
 CURRENCY ON DEPOSIT AT JP MORGAN :
 CHASE, IN ACCOUNT NUMBER [REDACTED] :
 [REDACTED] 1 865; :

CLERK'S CERTIFICATION
 07 Civ. 3587 (MGC)

ALL ASSETS OF NASH PHARMACY, :
 INCLUDING \$1,492,892.00 IN UNITED :
 STATES CURRENCY ON DEPOSIT AT JP :
 MORGAN CHASE, IN ACCOUNT NUMBER [REDACTED] :
 [REDACTED] 4 365; and :

ALL ASSETS OF STAY SLIM PHARMACY, :
 INCLUDING \$128,534.00 IN UNITED :
 STATES CURRENCY ON DEPOSIT AT JP :
 MORGAN CHASE, IN ACCOUNT NUMBER [REDACTED] :
 [REDACTED] 6 065, :

Defendants-in-rem. :

- - - - - x

I, J. Michael McMahon, Clerk of the United States
 District Court for the Southern District of New York, hereby
 certify that the docket entries in the above-captioned case
 indicate that the verified complaint herein was filed on May 4,

2007, and that proof of publication was filed in the Clerk's office on May 15, 2008. A claim for the defendants-in-rem was filed with the Court on June 25, 2007 by Muhammad Nawaz Ahmad. A claim for the defendants-in-rem was filed with the Court on July 6, 2007 by Sobia Shaheen. A Stipulation and Dismissal of Claim of Muhammad Nawaz Ahmad was filed by the Court on August 14, 2008. A Stipulation and Dismissal of Claim of Sobia Shaheen was filed by the Court on August 14, 2008. No other party has filed a claim or answer or otherwise moved with respect to the defendants-in-rem, and the time to file a claim with respect said defendants-in-rem has expired. The default of all persons is hereby noted.

Dated: New York, New York
September 5, 2008


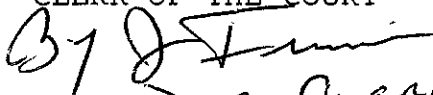

J. MICHAEL MCMAHON
CLERK OF THE COURT
By 
DEP. CLERK

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ALL ASSETS OF ASA DRUGS, INCLUDING :

\$207,644.00 IN UNITED STATES :

CURRENCY ON DEPOSIT AT JP MORGAN :

CHASE, IN ACCOUNT NUMBER 106 067 :

681 865; :

DEFAULT JUDGMENT

07 Civ. 3587 (MGC)

ALL ASSETS OF NASH PHARMACY, :

INCLUDING \$1,492,892.00 IN UNITED :

STATES CURRENCY ON DEPOSIT AT JP :

MORGAN CHASE, IN ACCOUNT NUMBER 106 :

067 344 365; and :

ALL ASSETS OF STAY SLIM PHARMACY, :

INCLUDING \$128,534.00 IN UNITED :

STATES CURRENCY ON DEPOSIT AT JP :

MORGAN CHASE, IN ACCOUNT NUMBER 106 :

067 626 065, :

Defendants-in-rem. :

- - - - - x

WHEREAS, on or about May 4, 2007, the United States commenced this civil action for the forfeiture of the above-referenced JP Morgan Chase bank accounts (the "Defendant Accounts") by the filing of a verified complaint (the "Verified Complaint");

WHEREAS, on or about May 17, 2007, this Court issued an arrest warrant in rem for the Defendant Accounts;

WHEREAS, on or about June 5, 2007, the Federal Bureau of Investigation seized the funds in the Defendant Accounts pursuant to the arrest warrant in rem (the "Defendant Funds");

WHEREAS, in or about May 2007, notice of the Verified Complaint was sent by certified mail, return receipt requested to: David E. Ruck, 270 Madison Avenue, Suite 1500, New York, NY 10016; Muhammad Nawaz Ahmad, [REDACTED], Floral Park, NY 11001; Jeffrey Alan Granat, Jacobson and Goldberg LLP, 585 Stewart Avenue, Suite 720, Garden City, NY 11566; Muhammad Ejaz Ahmad, [REDACTED], Albertson, NY 11507; Harold L. Levy, Flamhaft, Levy, Kramins, Hirsch & Rendeiro, LLP, 16 Court Street, Ste. 3301, Brooklyn, NY 11241; Mohammad Tanveer, [REDACTED], [REDACTED], Queens Village, NY 11427; Sobia Shaheen, [REDACTED], [REDACTED], Albertson, NY 11507; Stay Slim Pharmacy, 1166 Coney Island Avenue, Brooklyn, NY 11230; Nash Pharmacy, 47-07 Francis Lewis Blvd, Bayside, NY 11361; and ASA Drugs, 99-06 63rd Road, Rego Park, NY 11374;

WHEREAS, notice of the Verified Complaint and arrest warrant in rem was published in The New York Daily News once in each of the three successive weeks beginning on July 20, 2007, and proof of such publication was filed with the Clerk of this Court on May 15, 2008;

WHEREAS, Muhammad Nawaz Ahmad and Sobia Shaheen subsequently filed a claim in this action;

WHEREAS, on August 14, 2008, this Court signed a Stipulation and Dismissal of the Claim of Muhammad Nawaz Ahmad, and a Stipulation and Dismissal of the Claim of Sobia Shaheen;

WHEREAS, no other claims or answers have been filed or made in this judicial forfeiture action, and the requisite time periods in which to do so, as set forth in 18 U.S.C.

§ 983(a)(4)(A) and Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Michel J. Garcia, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Anna E. Arreola, of counsel;

IT IS HEREBY ORDERED that:

1. Plaintiff United States of America shall have judgment by default against the Defendant Funds.

2. The Defendant Funds shall be, and the same hereby are, forfeited to the plaintiff United States of America.

3. The United States Marshals Service shall dispose of the Defendant Funds according to law.

Dated: New York, New York
October ____, 2008

SO ORDERED:

HONORABLE JUDGE MIRIAM GOLDMAN CEDERBAUM
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

ALL ASSETS OF ASA DRUGS, INCLUDING
\$207,644.00 IN UNITED STATES
CURRENCY ON DEPOSIT AT JP MORGAN
CHASE, IN ACCOUNT NUMBER 106 067
681 865;

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MORGAN CHASE, IN ACCOUNT NUMBER 106
067 626 065,

Defendants-in-rem.

**NOTICE OF MOTION FOR
DEFAULT JUDGMENT
07 CIV 3587 (MGC)**

MICHAEL J. GARCIA
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Southern District of New York
Attorney for the United States of America
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ANNA E. ARREOLA
Assistant United States Attorney
-Of Counsel-